

Applicants: KAIDAR, Oren, et al.
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REMARKS

Applicants respectfully request reconsideration of the above-identified application in view of the following remarks.

Status of Claims

Claims 26-28 have been canceled herein without prejudice or disclaimer. Claims 1, 8, 17, 20 and 23-25 have been amended. Claims 1-28 are pending in this application. It is respectfully submitted that no new matter has been added.

Claim Objection

On Page 2 of the Office Action, the Examiner objected to Claims 23-25. In accordance with the Examiner's suggestion, Claim 23 has been amended to include, inter alia, "A computer-readable storage medium". Additionally, Claims 24-25 have been amended to include, inter alia, "The computer-readable storage medium". Accordingly, it is respectfully requested that the objection to Claims 23-25 be withdrawn.

Claim Rejections

35 U.S.C. § 102 Rejections

On Pages 2-4 of the Office Action, the Examiner rejected Claims 1-28 under 35 U.S.C. § 102(e) as being anticipated by Molteni et al. (U.S. Publication No. 2004/0066757). Applicants respectfully request that the rejections of Claims 1-28 under 35 U.S.C. § 102(e) be withdrawn in view of the foregoing amendments and the remarks that follow.

Amended Claims 1, 8, 17, 20, and 23 include, inter alia, and in paraphrase, receiving a packet on the channel, determining if the received packet is an informational packet, joining a wireless network associated with the received packet if the received packet is an informational packet, determining information regarding the channel from the received packet if the received packet is not an informational packet; and switching to a different channel for scanning if said information indicates the channel is not desirable.

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Molteni teaches "a method operating in a wireless station having a wireless network device capable of providing a link-layer interface to a wireless network. The method operates at the link layer (L2) of a multi-layer network protocol and includes, prior to the station being associated with a wireless network via the wireless network device, wirelessly receiving L2 data units transmitted from one or more wireless access point of one or more wireless networks that the station can hear. The method further includes gathering information about the received L2 data units, including L2 information and L3 information. The L3 information gathered at L2 includes whether an AP is sending one or more L3 packets from one or more mobility agents, such that the station may associate with a wireless network that is in communication with a mobility agent." (Paragraph [0067]). Thus, Molteni teaches a method of discovering, prior to joining an access point, whether that access point is in communication with Mobile IP agents and thus can provide Mobile IP services.

In Figures 2A and 3 of Molteni, Molteni teaches that if a received frame is a beacon frame, a WLAN database should be updated with the SSID contained in the beacon frame (See boxes 213 and 217 of Figure 2A and boxes 321 and 325 of Figure 3). Figure 3 further teaches that the wireless station should join an access point only after enough messages are stored in the WLAN database. The wireless station then joins an access point which the WLAN database indicates can provide Mobile IP services (See boxes 329, 309, and 311 of Figure 3).

In contrast, Applicants' claim joining a wireless network associated with the received packet if the received packet is an informational packet. Molteni does not teach or suggest that the wireless station joins a wireless network associated with the received packet if the received packet is an information packet. Instead, as indicated above, Molteni teaches that if the received packet is determined to be a beacon frame, a WLAN database should be updated with the SSID contained in the beacon frame. In fact, Molteni teaches that joining with an access point should only be done once the WLAN database contains sufficient messages containing Mobile IP service information.

Furthermore, the wireless station of Molteni would be impaired if, instead of updating the WLAN database, it joined the wireless network associated with the received,

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informational packet. The method taught by Molteni is designed to ascertain which access points can provide Mobile IP services by updating a WLAN database with information captured during channel scanning. Only when suitable access points have been identified does the wireless station join with one of the access points capable of providing Mobile IP services. If the wireless station instead joined the wireless network associated with the received, informational packet, there would be no guarantee that the wireless network could provide Mobile IP services. Thus, the entire purpose of Molteni's wireless station would be defeated.

Each of Claims 2-7, 9-16, 18-19, 21-22, and 24-25 depends from one of amended independent Claims 1, 8, 17, 20 and 23 and therefore includes all the limitations of one of these claims as well as further distinguishing features. Thus, claims 2-7, 9-16, 18-19, 21-22, and 24-25 are likewise allowable. Claims 26-28 have been canceled herein, thus rendering their rejection moot. Therefore, Applicants respectfully request that the Examiner withdraw the rejection of Claims 1-28 under 35 U.S.C. § 102(e) as being anticipated by Molteni.

CONCLUSION

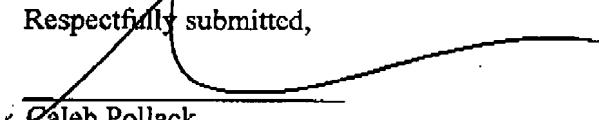
In view of the foregoing amendments and remarks, Applicants submit that the pending claims distinguish over the prior art of record and are in condition for allowance. Favorable consideration and passage to issue are therefore respectfully requested.

The Examiner is invited to telephone the undersigned to discuss any still outstanding matters with respect to the present application.

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Except for the fee for the Petition for a One Month Extension of Time, being paid separately, no fees are believed to be due in connection with this paper. However if any such fees are due, please change any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,


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